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# County of Los Angeles CHIEF EXECUTIVE OFFICE

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SACHI A. HAMAI  
Chief Executive Officer

March 10, 2016

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To: Supervisor Hilda L. Solis, Chair  
Supervisor Mark Ridley-Thomas  
Supervisor Sheila Kuehl  
Supervisor Don Knabe  
Supervisor Michael D. Antonovich

From: Sachi A. Hamai  
Chief Executive Officer

## **MOTION TO SUPPORT AB 1771 (O'DONNELL), LEGISLATION THAT WOULD INCREASE THE PENALTY FOR THOSE INDIVIDUALS CONVICTED OF DIRECTING AND/OR RECRUITING INDIVIDUALS IN TO THE SEX TRADE (ITEM NO. 6, AGENDA OF MARCH 15, 2016)**

Item No. 6 on the March 15, 2016 Agenda is a motion by Supervisor Knabe to instruct the Sacramento advocates to support AB 1771, legislation that would increase the punishment of those convicted of pimping and other crimes related to human trafficking.

### **Background**

Criminal street gangs in Los Angeles County and nationwide have increasingly engaged in commercial sexual exploitation of men, women, and children. California has three of the Federal Bureau of Investigation's 13 High Intensity Child Prostitution Areas, including Los Angeles. According to several Federal agencies, the Los Angeles region is attractive to human traffickers due to its substantial immigrant community and runaway and homeless youth population; large economy and labor industries; airports and ports; and proximity to the border. Sex trafficking and commercial sexual exploitation of minors now rivals narcotic and arms sales as the major sources of revenue for many criminal gang organizations. In addition, sex trafficking provides minimal criminal exposure for a trafficker.

### **Analysis of AB 1771 (O'Donnell)**

**AB 1771 (O'Donnell)**, which was introduced February 3, 2016, would increase the maximum penalty of imprisonment from 6 months to one year in a county jail for those individuals convicted of directing and/or recruiting individuals in to the sex trade.

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## COUNTY OF LOS ANGELES Sacramento Legislative Office

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SACHI A. HAMAI  
Chief Executive Officer

DONNA SEITZ  
Acting Chief Legislative  
Representative

April 11, 2016

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The Honorable Lorena Gonzalez, Chair  
Assembly Appropriations Committee  
State Capitol, Room 2114  
Sacramento, CA 95814

**RE: AB 1771 (O'Donnell), As Amended March 29, 2016 – SUPPORT  
Relating to Human Sex Trafficking  
Hearing Set April 13, 2016, in the Assembly Appropriations Committee**

Dear Assembly Member Gonzalez:

The Los Angeles County Board of Supervisors supports AB 1771 (O'Donnell).

The Los Angeles region is a major hot spot for human trafficking crimes. The County has partnered with Federal, State and local law enforcement agencies to combat this growing problem. However, current State law does not sufficiently penalize individuals convicted of these types of crimes, including the increasing number of violent gangs who force children and vulnerable adults into the sex trade. As such, there is little disincentive for traffickers to halt what has become an increasingly profitable crime.

Under existing law, persons convicted of directing and/or recruiting individuals into the sex trade are guilty of a misdemeanor punishable by imprisonment in a county jail for no more than six months, by a fine not exceeding \$1,000, or by both. AB 1771 would increase the penalty of imprisonment to one year. Doubling this penalty begins to address the many cases in which trafficking victims, fearing for their safety, decline to provide statements against their traffickers. In these cases, the traffickers cannot be charged with a charge of human trafficking, which is subject to a felony, but only with the misdemeanor charge of "supervising a prostitute".

I urge your "AYE" vote on AB 1771. Please contact me at 916-441-7888, if you have any questions.

Sincerely,

Donna Seitz  
Acting Chief Legislative Representative

c: Assembly Member Patrick O'Donnell  
Each Member and Consultant,  
Assembly Appropriations Committee

Each Supervisor  
March 10, 2016  
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Under current law, individuals convicted of directing and/or recruiting individuals in to the sex trade are guilty of a misdemeanor punishable by imprisonment in a county jail for no more than six months, by a fine not exceeding \$1,000 or by both. AB 1771 would increase the penalty of imprisonment to no more than one year. In addition, the measure would add active participation in a criminal street gang to those circumstances that may be used to determine whether an individual is guilty of this crime.

According to the author, while convictions officially classified as pimping and human trafficking are subject to felony prosecution, this charge is only applied on relatively few occasions because human trafficking victims, where in many cases the pimp or trafficker is an active gang member, fear retaliation. In cases where victims do not provide statements against the trafficker, only the misdemeanor charge of "supervising a prostitute" can be filed. This measure would give the courts discretion to impose a longer sentence when justified.

AB 1771 is scheduled to be heard by the Assembly Public Safety Committee on March 15, 2016.

This measure is co-sponsored by the Long Beach City Prosecutor and the Long Beach Human Trafficking Task Force. Currently, there is no registered support or opposition.

### **Conclusion**

**Approval of this motion to support AB 1771 is consistent with Board-approved policy.** The 2015-16 State Legislative Agenda contains policy to support legislation to increase the penalties for individuals involved in the commercial sexual exploitation of minors, including those that engage in pimping underage individuals and the consumers who solicit minors.

We will continue to keep you advised.

SAH:JJ:MR  
PC:lm

c: Executive Office, Board of Supervisors  
County Counsel